

COMAR 10.07.02 - 120 Day Ruling **Geriatric Nursing Assistants - Long Term Care**

Individuals may work in long term care facilities providing nursing assistant duties for a period of time not exceeding 120 days. The 120 days begin with the first day of employment as a nursing assistant and includes the time to complete the CNA/GNA training requirements for certification, and the obtaining of the examination test results. The facility must submit the new nursing assistant graduate information to the Board immediately on completion of the program. The Maryland Board of Nursing will certify the individual as a Certified Nursing Assistant. The CNA then may work as a nursing assistant performing **all** duties expected of a GNA while awaiting to take their GNA examination and the results. The CNA is to be scheduled for the GNA examination as soon as possible. The total time to complete all requirements is 120 days.

CNA who fails the NNAAP Examination:

For candidates who fail the NNAAP Examination the facility may continue to retain the CNA in the GNA role, provided the following conditions are met:

1. When notified of failure, the CNA is immediately registered to take the next available examination;
2. The CNA practices under the direct supervision of a licensed nurse at all times;
3. The CNA is not the only nursing assistant working on the specific patient unit;
4. The registered nurse staff development coordinator at the facility must:
 - a. Complete an assessment of the CNA
 - b. Develop an action plan for remediation
 - c. Precept the CNA
 - d. Work with the CNA to improve skills that will be tested
5. The action plan is designed to assist the CNA in the areas of deficiency, so that the CNA can be successful on the next examination. This action plan would specifically address the area(s) of testing where the candidate was unsuccessful, i.e. written or clinical applications of skills. This plan does not need to be submitted to the Board of Nursing but would remain at the facility and would be used by all educational and licensed nursing staff to assist the CNA in remediation.

Should the CNA fail all or any portion of the GNA Examination four times in a 24 month period, from the date of training program completion, the CNA must retake the entire 100 hour training program. If the CNA fails to become certified as a GNA within the 24 month period regardless of the number of attempts to pass the exam, the CNA must repeat the training program.

Research has indicated that the individuals who test immediately on course completion, generally have a higher success rate. Therefore, it is important to arrange testing for all CNAs immediately after completion of the training program. For additional information contact:

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